

AMENDED IN ASSEMBLY APRIL 7, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1702

Introduced by Assembly Member Frommer

February 22, 2005

~~An act to amend Section 65583 of the Government Code, relating to housing.~~ *An act relating to state finances, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1702, as amended, Frommer. ~~Housing: use by right~~ *State finances: economic recovery and transportation.*

(1) The Economic Recovery Bond Act authorizes the issuance of bonds in an amount not to exceed \$15,000,000,000 pursuant to the State General Obligation Bond Law, for purposes of financing the accumulated state budget deficit, as defined. "Accumulated state budget deficit" means the aggregate of the estimated negative balance of the Special Fund for Economic Uncertainties arising on or before June 30, 2004, with specified exceptions and other General Fund obligations incurred by the state prior to June 30, 2004, to the extent not included in the negative balance. Existing law requires that except for amounts necessary to pay costs of issuance, administrative costs, any other costs payable in connection with the bonds, to retire or refund the bonds sold, the balance is to be transferred to the General Fund.

This bill would appropriate from the General Fund, from the amount transferred to that fund from the Economic Recovery Fund, \$500,000,000 to the Controller for deposit in the Traffic Congestion Relief Fund for the purpose of funding or reimbursing the cost of transportation projects, programs, and activities for encumbrance

without regard to fiscal years, except as otherwise specified, with the funds to be allocated (a) \$250,000,000 for transfer to the State Highway Account for project expenditures, and (b) \$250,000,000 for Traffic Congestion Relief Program projects.

(2) Existing law authorizes the Infrastructure and Economic Development Bank to sell for, and on behalf of, the state all or any portion of the state's tribal gaming compact assets to a special purpose trust, which would be established as a not-for-profit corporation, except that the sale or sales would be limited to an amount necessary to provide the state with net proceeds of the sale not to exceed \$1.5 billion.

This bill would appropriate \$500,000,000 from the net proceeds from the sale of bonds issued by a special purpose trust and secured by the state's tribal gaming compact assets to the General Fund for economic recovery purposes.

~~The Planning and Zoning Law requires the housing element of the general plan of a city or county to include, among other things, a program with a 5-year schedule of actions that the local government is undertaking or intends to undertake to implement the goals and objectives of the housing element. The program is also required to provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including the development of farmworker housing for low- and very low income households.~~

~~This bill would define the phrase "use by right" to mean use that does not require a conditional use permit or other discretionary permit for a planned unit development, except as specified.~~

Vote: ~~majority~~^{2/3}. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 65583 of the Government Code is~~
2 ~~amended to read:~~

3 *SECTION 1. From the amount transferred from the Economic*
4 *Recovery Fund to the General Fund, the sum of five hundred*
5 *million dollars (\$500,000,000) is hereby appropriated from the*
6 *General Fund to the Controller for deposit in the Traffic*
7 *Congestion Relief Fund for the purpose of funding or*
8 *reimbursing the cost of transportation projects, programs, and*

1 *activities for encumbrance without regard to fiscal year, except*
2 *as otherwise specified, with the funds to be allocated as follows:*

3 *(a) Two hundred fifty million dollars (\$250,000,000) for*
4 *transfer to the State Highway Account for project expenditures.*

5 *(b) Two hundred fifty million dollars (\$250,000,000) for*
6 *allocation to Traffic Congestion Relief Program projects.*

7 *SEC. 2. The sum of five hundred million dollars*
8 *(\$500,000,000) is hereby appropriated from the net proceeds*
9 *from the sale of bonds issued by a special purpose trust and*
10 *secured by tribal-state gaming compact assets pursuant to*
11 *Article 6.5 (commencing with Section 63048.6) of Chapter 1 of*
12 *Division 1 of Title 6.7 of the Government Code to the General*
13 *Fund for deficit recovery purposes, as provided for in Section*
14 *99064 of the Government Code. This section shall take effect*
15 *upon the sale of bonds authorized pursuant to Article 6.5*
16 *(commencing with Section 63048.6) of Chapter 1 of Division 1 of*
17 *Title 6.7 of the Government Code.*

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<p>All matter omitted in this version of the bill appears in the bill as introduced in the Assembly, February 22, 2005. (JR11)</p>
